

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

NELSON LLAVATA,

Plaintiff,

vs.

COLE MORROW, *et al.*,

Defendants.

Case No. 2:11-cv-00250-GMN-CWH

ORDER

This matter is before the Court on Plaintiff's renewed Motion to Extend Prison Copywork Limit (#42), filed May 17, 2012. An identical request was previously denied. *See* Order (#25).

As previously noted, a prisoner does not have a right to free photocopying. *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991); *Sands v. Lewis*, 886 F.2d 1166, 1169 (9th Cir.1989) (stating "numerous courts have rejected any constitutional right to free and unlimited photocopying"). Nevada Department of Corrections Administrative Regulation 722 ("Inmate Legal Access") provides that "[c]opies of legal documents requested by inmates may be made for a nominal fee." Nevada Department of Corrections Administrative Regulation (NDOC AR) 722.01(9). "Inmates can only accrue a maximum of \$100 debt for copy work expenses for all cases, not per case." *See* NDOC AR 722.01(9)(D). There is no indication in this request that Plaintiff's copy limit has been exceeded.¹

A court may order a prison to provide additional photocopying when the petitioner demonstrates that an increase is necessary for an inmate to provide copies to the court and other

¹ In Plaintiff's prior motion requesting the same relief, he did indicate that he had exceeded his prison copy limit (*see* Pl.'s Mot. (#14) at 1:16-19). Nevertheless, the request was denied.

1 parties. *See Cf., Allen v. Clark County Detention Center*, 2011 WL 886343 *2 (D. Nev.). Plaintiff
2 has failed to demonstrate in the present motion that an increase is necessary. There is no indication
3 that petitioner's prisoner account has insufficient funds for petitioner to replenish his copy work
4 limit. Moreover, Nevada prisons provide inmates with carbon paper to enable inmates to reproduce
5 writings without the use of photocopies. *See* NDOC AR 702.01(9)(E) ("Carbon paper should be
6 made available to any inmate who requests this item for legal purposes").

7 Based on the foregoing and good cause appearing therefore,

8 **IT IS HEREBY ORDERED** that Plaintiff's renewed Motion to Extend Prison Copywork
9 Limit (#42) is **denied**.

10 DATED this 21st day of May, 2012.

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13 C.W. Hoffman, Jr.
14 United States Magistrate Judge
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